

Referring to Item 13, applicant must respectfully disagree with the rejection of claims 1-7 under 35USC102(e) as being fully anticipated by Brown et al.. Specifically, with regard to claims 1-4 as amended and new claim 8, contrary to the examiners assertion, the hoop of Brown is not composed of a coil of material, as is applicant's hoop. As illustrated, Brown's hoop is composed of a single filament of material configured into a coil shape which constitutes the shape of the hoop rather than the shape of the material of which the hoop is made. In other words, in Brown, the coil which is but one possible shape of the hoop and the hoop are the same.

In applicant's device, the hoop is constructed not of a single filament, but of a coil shaped into a hoop. As this is not shown by the applied reference of record, applicant respectfully submits that the rejection of claims 1-4 under 35USC102 is not sound and must be withdrawn.

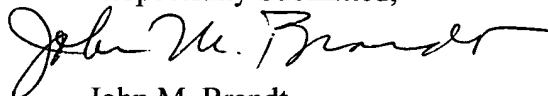
Referring further to method claims 5-7, applicant respectfully submits that as Brown does not meet applicant's structure, the method claims for using that structure cannot be rejected as anticipated by Brown. Additionally, the purpose and method of Brown are exactly opposite to that of applicant. In Brown, the hoop is used to prevent the incursion of an aneurysm into an artery from outside in. In applicant's procedure, the hoop is used to open an already closed or clogged artery from the inside out.

As the structural and functional differences between the prior art of record and applicant's invention as now defined by the amended claims are patentably distinct, applicant respectfully submits that the application is in condition for immediate allowance which is hereby solicited.

The fee for a one-month extension is enclosed herewith.

Reconsideration is respectfully requested.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "John M. Brandt".

John M. Brandt

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Response to Office Action, Ser. # 09/846,565, Mailing Certificate

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What is claimed is:

- 1.(once amended) An expandable hoop support for a flexible tube (tubing) comprising in combination:
 - a. a (A) preformed hoop composed of a coil of material having memory retaining (retaking) properties; and
 - b. cylindrical (Cylindrical) delivery means for constraining said coil into a linear configuration whereby when said delivery means and said coil are inserted into said flexible tube and said delivery means is then removed, said hoop will then reconfigure from a constrained linear configuration to an (the) original preformed hoop configuration.
- 2.(once amended) The expandable hoop support (apparatus) of claim 1 wherein said delivery means is a rod arranged to fit within said coil.
- 3.(once amended) The expandable hoop support (apparatus) of claim 1 wherein said delivery means is a delivery tube arranged to fit over said coil.
4. (once amended) The expandable hoop support (apparatus) of claim 8 (1) wherein said hoop comprises a stent.
5. (once amended) A (The) procedure for opening a coronary artery comprising in combination:
 - a. providing (Providing) a preformed hoop composed of a coil of material having memory retaining properties;
 - b. providing a (Providing) cylindrical delivery means for constraining said coil into a linear configuration;

- c. inserting (Inserting) said hoop and said delivery means into an (said) artery; and
 - d. removing (Removing) said delivery means whereby said hoop remains in said artery to support said artery in an open position.
- 6. The procedure of claim 5 wherein said delivery means is a rod arranged to fit within said coil.
 - 7. (once amended) The procedure of claim 5 wherein said delivery means is a delivery tube arranged to fit over said coil.
 - 8. (new claim) The expandable hoop support of claim 1 wherein said flexible tubing comprises a coronary artery.